

AT REGINA, SASKATCHEWAN, MONDAY, SEPTEMBER 9, 2013

AT A MEETING OF CITY COUNCIL

AT 5:30 PM

These are considered a draft rendering of the official minutes. Official minutes can be obtained through the Office of the City Clerk once approved.

Present: Mayor Michael Fougere, in the chair
Councillor Sharron Bryce
Councillor Bryon Burnett
Councillor John Findura
Councillor Shawn Fraser
Councillor Bob Hawkins
Councillor Terry Hincks
Councillor Wade Murray
Councillor Mike O'Donnell
Councillor Barbara Young

Regrets: Councillor Jerry Flegel

Also in Attendance: City Clerk, Joni Swidnicki
Acting City Manager, Jason Carlston
City Solicitor, Byron Werry
Deputy City Clerk, Amber Smale
Acting Deputy City Manager, City Operations, Neil Vandendort
Deputy City Manager, Corporate Services, Brent Sjoberg
Manager, Infrastructure Planning, Geoff Brown

The meeting opened with a prayer.

Confirmation of Agenda

Councillor Sharron Bryce moved, seconded by Councillor Wade Murray, AND IT WAS RESOLVED, that the agenda for this meeting be approved, as submitted; and that the delegations listed on the agenda be heard when called forward by the Mayor.

Adoption of Minutes

Councillor Barbara Young moved, seconded by Councillor Bob Hawkins, AND IT WAS RESOLVED, that the minutes for the meeting held on August 26, 2013 be adopted, as circulated.

Delegations, Advertised Bylaws and Related Reports

DE13-122 Stu Niebergall: SAF Rate Increase Before City Council Sept 9, 2013

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. The delegation answered a number of questions.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw 9004, this brief was tabled until after consideration of CR13-128, a report from the Public Works Committee respecting the same subject.

CR13-128 Public Works Committee: 2014 Servicing Agreement Fee Rates & Development Levy Bylaw (2013-59)

Recommendation

1. That the 2013 Servicing Agreement Fee (SAF) Rate of \$264,273 per hectare (ha) be approved to come into effect January 1, 2014.
2. That the 2013 Development Levy Bylaw Rate of \$264,273 per hectare (ha) be approved to come into effect January 1, 2014.
3. That the City Solicitor be instructed to prepare the necessary amendments to Bylaw 2011-16 *The Development Levy Bylaw, 2011* to include the new development levy rate.

Councillor Sharron Bryce moved that the recommendations of the Public Works Committee contained in the report be concurred in.

**Mayor Michael Fougere stepped down to enter the debate.
Councillor Bryon Burnett took the chair.**

Mayor Michael Fougere returned to the chair prior to the vote.

The main motion was put and declared CARRIED.

DE13-123 Ginna Sapozhnik: Rezoning of Parcel A at 1506 Pasqua Street and Discretionary Use Application for offsite parking at 4201, 4215, and 4217 Dewdney Ave

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. The delegation answered a number of questions.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw 9004, this brief was tabled until after consideration of CR13-129, a report from the

Regina Planning Commission respecting the same subject.

- CP13-23 Joseph Lewis: Bylaw No. 2013-62 - Proposed Zoning Bylaw Amendment - 12-Z-13
- CP13-24 Dr. Rajnikant Patel: Bylaw No. 2013-61
- CP13-25 Granite Properties: Proposed Zoning By-Law Amendment Application - Bylaw #2013-61 - Pasqua Street
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Recommendation

This report be received and filed.

Councillor Shawn Fraser moved, seconded by Councillor Sharron Bryce, AND IT WAS RESOLVED, that items CP13-23, CP13-24 and CP13-25 be received and filed.

- CR13-129 Regina Planning Commission: Applications for Zoning Bylaw Amendment (13-Z-13) and Discretionary Use (13-DU-17) Proposed Height Overlay and Off-Site Caveated Parking Lot 1506 Pasqua Street and 4201, 4215, 4217 Dewdney Avenue (2013-61)
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Recommendation

1. That the application to rezone Parcel A, Plan No. 102012613 located at 1506 Pasqua Street from MAC - Major Arterial Commercial to MAC.H22, be APPROVED.
2. That the Discretionary Use application for an Off-Site Caveated Parking Lot located at 4201, 4215 and 4217 Dewdney Avenue, being Lots 12, 13, 15, 15, 16, Block 3, Plan No. FB2842 be APPROVED, and that a Development Permit be issued subject to the following conditions:
 - a. The development shall be consistent with the plans attached to this report as Appendix A-3.1 to A-3.5 inclusive, prepared by Raymond S.C. Wan Architect, Inc. and dated April 2013; and
 - b. The development shall comply with all applicable standards and regulations in *Regina Zoning Bylaw No. 9250*
3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.

Councillor Mike O'Donnell moved, AND IT WAS RESOLVED, that the recommendations of the Regina Planning Commission contained in the report be concurred in.

CR13-130 Regina Planning Commission: Application for Zoning Bylaw Amendment (13-Z-14) 1900 and 1920 McAra Street (2013-65)

Recommendation

1. That the application to rezone part of Lot 3A, Block 84 located at 1900 and 1920 McAra Street from UH (Urban Holding) to IT (Industrial Tuxedo), be APPROVED.
2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.

Councillor Mike O'Donnell moved, AND IT WAS RESOLVED, that the recommendations of the Regina Planning Commission contained in the report be concurred in.

CR13-131 Regina Planning Commission: Application for Zoning Bylaw Amendment and Discretionary Use (12-Z-16, 12-DU-22) Proposed Townhouse - 1175 Pasqua Street (2013-55)

Recommendation

1. That the application to rezone Lot 7, Block B, Plan FD5230 Ext 0 located at 1175 Pasqua street from I-Institutional to R4A-Residential Infill Housing, be APPROVED.
2. That the discretionary use application for a proposed Townhouse located at 1175 Pasqua Street , being Lot 7, Block B, Plan FD5230 Ext 0, Old 33 be APPROVED, and that a Development Permit be issued subject to the following conditions:
 - a. The development shall be consistent with the plans attached to this report as Appendix A-3.1 to A-3.2 inclusive, prepared by Artisan Design Build Ltd. and dated April 2010 and July 20, 2013; and
 - b. The development shall comply with all applicable standards and regulations in Regina Zoning Bylaw No. 9250
3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.

Councillor Mike O'Donnell moved, AND IT WAS RESOLVED, that the recommendations of the Regina Planning Commission contained in the report be concurred in.

CR13-132 Regina Planning Commission: Application for Zoning Bylaw Amendment (13-Z-16) - Rezoning R1 to DCD-5 - 3700 Queens Gate / 3619 Pasqua Street; and Official Community Plan Amendment -Secondary Plan for Lakeview/Albert Park (2013-62 and 2013-63)

Recommendation

1. That the application to rezone part of Subdivision Plan No. 96R63551, from R1 to DCD-5, located at 3700 Queens Gate, to be consolidated with Parcel L, Plan No. 101897916, located at 3619 Pasqua Street, forming new lot L1, be APPROVED
2. That the application to redesignate part of Subdivision Plan No. 96R63551 within the Lakeview / Albert Park Secondary Plan, located at 3700 Queens Gate as shown on the attached plan of proposed subdivision (See Attachment 2.1), from b-Residential to a-Office / Institutional, be APPROVED.
3. That the City Solicitor be directed to prepare the necessary bylaw to authorize the respective Zoning Bylaw amendment.

Councillor Mike O'Donnell moved, AND IT WAS RESOLVED, that the recommendations of the Regina Planning Commission contained in the report be concurred in.

CR13-133 Regina Planning Commission: Proposed Amendments to Regina Zoning Bylaw No. 9250

Recommendation

1. That the proposed housekeeping amendments to *Regina Zoning Bylaw No. 9250* be APPROVED.
2. That the City Solicitor be directed to prepare the necessary bylaw to authorize the housekeeping amendments.

Councillor Mike O'Donnell moved, AND IT WAS RESOLVED, that the recommendations of the Regina Planning Commission contained in the report be concurred in.

2013-55 The Regina Zoning Amendment Bylaw, 2013 (No. 24)

2013-59 The Development Levy Amendment Bylaw, 2013

2013-61 The Regina Zoning Amendment Bylaw, 2013 (No. 28)

2013-62 The Regina Zoning Amendment Bylaw, 2013 (No. 29)

2013-63 The Regina Development Plan Amendment Bylaw, 2013 (No. 3)

2013-64 The Regina Zoning Amendment Bylaw, 2013 (No. 31)

2013-65 The Regina Zoning Amendment Bylaw, 2013 (No. 32)

Councillor Bryon Burnett moved, seconded by Councillor Barbara Young, AND IT WAS RESOLVED, that Bylaws No. 2013-55, 2013-59, 2013-61, 2013-62, 2013-63, 2013-64 and 2013-65 be introduced and read a first time. Bylaws read a first time.

No letters of objection were received pursuant to the advertising with respect to Bylaws No. 2013-55, 2013-59, 2013-61, 2013-62, 2013-63, 2013-64 and 2013-65.

Prior to second reading, the Clerk called for anyone present who wished to address City Council respecting Bylaws No. 2013-55, 2013-59, 2013-61, 2013-62, 2013-63, 2013-64 and 2013-65 to indicate their desire. No one indicated a desire to address Council.

Councillor Bryon Burnett moved, seconded by Councillor Sharron Bryce, AND IT WAS RESOLVED, that Bylaws No. 2013-55, 2013-59, 2013-61, 2013-62, 2013-63, 2013-64 and 2013-65 be read a second time. Bylaws read a second time.

Councillor Bryon Burnett moved, seconded by Councillor Wade Murray that City Council hereby consents to Bylaws 2013-55, 2013-59, 2013-61, 2013-62, 2013-63, 2013-64, and 2013-65 going to third reading at this meeting.

The motion was put and declared CARRIED UNANIMOUSLY.

Councillor Bryon Burnett moved, seconded by Councillor Terry Hincks, AND IT WAS RESOLVED, that Bylaws 2013-55, 2013-59, 2013-61, 2013-62, 2013-63, 2013-64, and 2013-65 be read a third time. Bylaws read a third time.

Delegation, Tabled and Related Reports

DE13-124 Ned Kosteniuk: Official Community Plan

Pursuant to due notice the delegation was present.

The Mayor invited the delegation to come forward and be heard. The delegation answered a number of questions.

Pursuant to the provisions of Section 16(11)(c) of City Council's Procedure Bylaw 9004, this brief was tabled until after consideration of CR13-112, a report from the Executive Committee respecting the same subject.

CR13-134 Supplementary Report – Harbour Landing West

Recommendation

1. That the Administration be instructed to conduct planning, financial and engineering analyses to determine the 300,000-plus population growth plan of all lands resulting from the annexation process, in consultation with the development community.

2. That a report recommending the 300,000-plus population growth plan be submitted for the consideration of Council prior to the end of 2015 and the Official Community Plan (OCP) be amended accordingly.
3. That \$250,000 in Servicing Agreement Fee funding be approved for the 2014 budget for the completion the 300,000-plus population growth plan.

Councillor Mike O'Donnell moved, seconded by Councillor Wade Murray that the recommendations of the Administration contained in the report be concurred in.

**Mayor Michael Fougere stepped down to enter the debate.
Councillor Bryon Burnett took the chair.**

Mayor Michael Fougere returned to the chair prior to the vote.

The main motion was put and declared CARRIED.

CR13-135 Supplementary Report - Alterations to the Proposed OCP

Recommendation

1. That recommendations #1, 3 and 5 from report CR13-112 to seek Council's adoption of the OCP be further tabled to the October 15, 2013 meeting of City Council to enable the alterations (that include clarifying policy to align the OCP with the *Statements of Provincial Interest* and refine the Concept Plan definition to be consistent with *The Planning and Development Act*) to be brought forward as part of the process to adopt the proposed OCP; and
2. That the required four-week public notice process proceed to advance the alterations to be considered as part of the process for adopting the proposed official community plan (OCP).

Councillor Mike O'Donnell moved, seconded by Councillor Bob Hawkins, AND IT WAS RESOLVED, that the recommendations of the Administration contained in the report be concurred in after amending recommendation #1 to return the report to the November 4, 2013 meeting of City Council.

CR13-112 Proposed Official Community Plan (OCP) (Tabled August 20, 2013)

Recommendation

1. That a new official community plan, known as "Design Regina" and attached as Appendix A to this report be adopted pursuant to Part IV of *The Planning and Development Act, 2007*.
2. That the Administration be directed to return to Council with a phasing and financing plan for the Growth Plan by December 2013.

3. That the Administration be directed to return to Council with recommendations on the Office Policies in Q1 of 2014.

Councillor Mike O'Donnell moved, AND IT WAS RESOLVED, that this report be tabled to the November 4, 2013 meeting of City Council.

Councillor's Report

MR13-2 Councillor Mike O'Donnell: Federation of Canadian Municipalities' (FCM) Board of Directors Meeting – September 4 – 7, 2013

Councillor Mike O'Donnell moved, seconded by Councillor Wade Murray, AND IT WAS RESOLVED, that this report be received and filed.

Administration's Reports

CR13-136 2013 Boundary Alteration

Recommendation

1. That the following resolutions concerning the alteration of municipal boundaries be adopted by City Council:
 - a. “BE IT RESOLVED THAT, the east/ southeast lands identified as Area A in Appendix A, currently within the RM of Sherwood and described as follows, be annexed to the City of Regina:
 - Portion of SW ¼ of Section 1 in Twp. 17, Rge. 19 W2M lying northwest of and excluding the rail line
 - Portion of NW ¼ of Section 1 in Twp. 17, Rge. 19 W2M lying west and northwest of and excluding the rail line
 - Portion of SE ¼ of Section 2 in Twp. 17, Rge. 19 W2M lying northwest of and excluding the rail line and including the road allowance to the south
 - SW ¼ of Section 2 in Twp. 17, Rge. 19 W2M including the road allowance to the south
 - Portion of NW ¼ of Section 2 in Twp. 17, Rge. 19 W2M
 - NE ¼ of Section 2 in Twp. 17, Rge. 19 W2M
 - All of Section 3 in Twp. 17, Rge. 19 W2M including the road allowance to the south
 - All of Section 4 in Twp. 17, Rge. 19 W2M including the road allowance to the south
 - Portion of SE ¼ of Section 9 in Twp. 17, Rge. 19 W2M
 - Portion of SW ¼ of Section 9 in Twp. 17, Rge. 19 W2M
 - Portion of SE ¼ of Section 11 in Twp. 17, Rge. 19 W2M
 - W ½ of Section 12 in Twp. 17, Rge. 19 W2M excluding the rail line
 - W ½ of Section 13 in Twp. 17, Rge. 19 W2M excluding

the north-south running rail line

- All of Section 23 in Twp. 17, Rge. 19 W2M including Tower Road and excluding the Highway 1 right-of-way
 - SW ¼ of Section 24 in Twp. 17, Rge. 19 W2M excluding the Highway 1 right-of-way
 - S ½ of Section 26 in Twp. 17, Rge. 19 W2M including Tower Road
 - Portion of NW ¼ of Section 26 in Twp. 17, Rge. 19 W2M lying south of and excluding the rail line
 - NE ¼ of Section 26 in Twp. 17, Rge. 19 W2M including Tower Road
 - Portion of SE ¼ of Section 35 in Twp. 17, Rge. 19 W2M lying south of and excluding the rail line and including Tower Road
- b. “BE IT RESOLVED THAT, the southwest lands identified as Area B in Appendix A, currently within the RM of Sherwood and described as follows, be annexed to the City of Regina:
- All of Section 3 in Twp. 17, Rge. 20 W2M including Courtney Street and excluding the Highway 1 right-of-way to the south
 - All of Section 10 in Twp. 17, Rge. 20 W2M including Courtney Street
- c. “BE IT RESOLVED THAT, the west/ northwest lands identified as Area C in Appendix A, currently within the RM of Sherwood and described as follows, be annexed to the City of Regina:
- All of Section 29 in Twp. 17, Rge. 20 W2M
 - All of Section 30 in Twp. 17, Rge. 20 W2M
 - All of Section 31 in Twp. 17, Rge. 20 W2M including the road allowances to the west and north
 - All of Section 32 in Twp. 17, Rge. 20 W2M including the road allowance to the north
 - All of Section 25 in Twp. 17, Rge. 21 W2M excluding the rail line to the north and including the road allowance to the west
 - E ½ of Section 5 in Twp. 18, Rge. 20 W2M
 - E ½ of Section 8 in Twp. 18, Rge. 20 W2M including Armour Road
 - All of Section 9 in Twp. 18, Rge. 20 W2M including Armour Road
 - Portion of SE ¼ of Section 16 in Twp. 18, Rge. 20 W2M
 - S ½ of Section 15 in Twp. 18, Rge. 20 W2M including the road allowance to the west
 - Portion of SW ¼ of Section 14 in Twp. 18, Rge. 20 W2M lying south of and excluding Highway 11
 - Portion of SE ¼ of Section 14 in Twp. 18, Rge. 20 W2M lying south of and excluding Highway 11

2. That subject to Ministerial approval of the applicable municipal boundary alterations in accordance with the provisions of Section 43.1(13) or Section 44 of *The Cities Act* amendments to the Regina Zoning Bylaw No. 9250 to rezone the annexed lands to UH-Urban Holding be ADVERTISED.
3. The Administration endeavor to conclude a tax loss compensation agreement with the RM of Sherwood (RM), and request the adoption of complementary resolutions in support of the City's application for alteration of its municipal boundaries.
4. The City Solicitor in conjunction with the City Clerk do all things necessary to give effect to the resolutions in Recommendation #1 including preparing and submitting application to the Minister of Municipal Affairs or the Saskatchewan Municipal Board as per the provisions of Section 43.1 of *The Cities Act* pending conclusion of mediation with the RM of Sherwood to be completed at the end of October 2013.
5. That City Council approve the recommended tax mitigation principles and the recommended tax mitigation tools for impacted land owners, and direct Administration to communicate these to impacted land owners as outlined in the body of this report.
6. That City Council direct the Administration to develop an annexation implementation plan that includes bylaw amendments required to enable the continuation of specific land uses and operational practices in the long-term development areas.

Councillor Mike O'Donnell moved, seconded by Councillor Terry Hincks that the recommendations of the Administration contained in the report be concurred in.

**Mayor Michael Fougere stepped down to enter the debate.
Councillor Bryon Burnett took the chair.**

Councillor Terry Hincks left the meeting prior to the vote.

Mayor Michael Fougere returned to the chair prior to the vote.

The main motion was put and declared CARRIED.

CR13-137 City of Regina and R.M. of Sherwood Memorandum of Understanding

Recommendation

That the Mayor and City Clerk be authorized to execute the Memorandum of Understanding between the City of Regina and the R.M. of Sherwood as attached in Appendix A.

Councillor Mike O'Donnell moved, seconded by Councillor Sharron Bryce, AND IT

WAS RESOLVED, that the recommendations of the Administration contained in the report be concurred in.

Committee Reports

Finance and Administration Committee

CR13-138 Reserve Balances in Comparison to Minimum and Maximum Target Balances

Recommendation

That a transfer be made from the Community Investment Reserve to the General Fund Reserve, in the amount of \$258,671; composed of \$221,266 and \$37,405 from the Executive Committee and Finance & Administration Committee respectively.

Councillor Wade Murray moved, AND IT WAS RESOLVED, that the recommendations of the Finance and Administration committee contained in the report be concurred in.

Informational Reports

IR13-8 Youth Advisory Committee: 2013 Youth Advisory Committee Forum

Recommendation

This report be received and filed.

Councillor Sharron Bryce moved, AND IT WAS RESOLVED, that this report be received and filed.

Bylaws and Related Reports

CR13-139 2014 Alley Maintenance Strategy and Special Tax Levy Funding Options (2013-58)

Recommendation

1. That the City Solicitor be instructed to prepare the appropriate bylaw for alley maintenance for 2014, which includes the following levies, proposed revenues, and estimated costs:

Paved Alleys **\$3.90** per assessable foot
Gravel Alleys **\$2.57** per assessable foot

The proposed revenues and estimated costs for maintenance of alleys in 2014 are:	
Paved Alleys	\$3,113,900
Gravel Alleys	<u>\$1,575,250</u>
TOTAL	\$4,689,150

- 2. That the administration conducts a review of the Alley Maintenance Special Tax Bylaw and provides a report with recommendations to the Public Works Committee in the second Quarter of 2014.

Councillor Bryon Burnett moved, AND IT WAS RESOLVED, that the recommendations of the Executive Committee contained in the report be concurred in.

2013-58 The 2014 Alley Maintenance Special Tax Bylaw, 2013

2013-60 The Regina Zoning Amendment Bylaw, 2013 (No. 27)

Councillor Bryon Burnett moved, seconded by Councillor Mike O'Donnell, AND IT WAS RESOLVED, that Bylaws No. 2013-58, and 2013-60 be introduced and read a first time. Bylaws read a first time.

Councillor Bryon Burnett moved, seconded by Councillor John Findura, AND IT WAS RESOLVED, that Bylaws No. 2013-58, and 2013-60 be read a second time. Bylaws read a second time.

Councillor Bryon Burnett moved, seconded by Councillor Bob Hawkins that City Council hereby consents to Bylaws 2013-58 and 2013-60 going to third reading at this meeting.

The motion was put and declared CARRIED UNANIMOUSLY.

Councillor Bryon Burnett moved, seconded by Councillor Barbara Young, AND IT WAS RESOLVED, that Bylaws 2013-58, and 2013-60 be read a third time. Bylaws read a third time.

2013-44 The Properties Exempt From Taxation Amendment Bylaw, 2013 (Third Reading Only)

Mayor Michael Fougere and Councillor Bryon Burnett declared a conflict of interest on Bylaw 2013-44 and left the meeting.

Councillor Wade Murray moved, seconded by Councillor Shawn Fraser, AND IT WAS RESOLVED, that Bylaw No. 2013-44 be read a third time. Bylaw read a third time.

Mayor Michael Fougere and Councillor Bryon Burnett returned to the meeting.

Communications/Petitions and Related Reports

CP13-26 Regina's Warehouse Business Improvement District: Appointment to the Community Leaders' Advisory Committee

Recommendation

That Ms. Lovella Jones be appointed to the Community Leaders' Advisory

Committee as the representative of Regina's Warehouse Business
Improvement District.

**Councillor Wade Murray moved, seconded by Councillor Barbara Young, AND IT
WAS RESOLVED, that the recommendation of the City Clerk be concurred in.**

Adjournment

**Councillor Sharron Bryce moved, seconded by Councillor Wade Murray, AND IT
WAS RESOLVED, that the meeting adjourn.**

The meeting adjourned at 6:50 pm.

Mayor

City Clerk